

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

8

USCA NO. \_\_\_\_\_

SDNY NO. 07-cv-5751

JUDGE: KMW

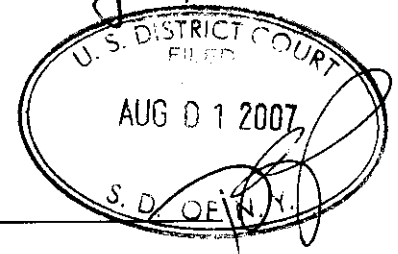
DATE: Aug. 1, 2007

Nieves

-v-

NYC Police Department

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME) THOMAS PISARCZYK  
FIRM APPEALS SECTION  
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500 PEARL STREET, NEW YORK, NEW YORK 10007  
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DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 1ST Day of AUGUST, 2007.

**United States District Court for  
the Southern District of New York**

Date: Aug. 1, 2007

U.S.C.A. # \_\_\_\_\_

U.S.D.C. # 07-cv-5751

D.C. JUDGE KMW

Nieves

-v-

NYC Police Dept.

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 7, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

**Date Filed**

**Document Description**

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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 15<sup>TH</sup> Day of AUGUST In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 232<sup>ND</sup> year.

**J. Michael McMahon, Clerk**

By \_\_\_\_\_

Deputy Clerk

APPEAL, CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-05751-KMW**  
**Internal Use Only**

Nieves v. New York City Police Department et al  
Assigned to: Judge Kimba M. Wood  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/18/2007  
Date Terminated: 06/18/2007  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 06/18/2007 | <u>1</u> | DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Alberto Nieves.(tro) (Entered: 06/26/2007)  |
| 06/18/2007 | <u>2</u> | COMPLAINT against New York City Police Department, Michael J. Depaolis, Steven Tazz, Other John Does. Document filed by Alberto Nieves.(tro) (Entered: 06/26/2007)  |
| 06/18/2007 |          | Magistrate Judge Kevin N. Fox is so designated. (tro) (Entered: 06/26/2007)   |
| 06/18/2007 | <u>3</u> | ORDER OF DISMISSAL; I grant plaintiff's application to proceed in forma pauperis, but dismiss Accordingly, the complaint, filed in forma pauperis under 28 U.S.C. 1915(a)is dismissed for failure to state a claim upon which a relief may be granted. See 28 U.S.C. 1915(e)(2)(B) (ii). I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 06/18/2007) (jeh) (Entered: 06/26/2007) |
| 06/18/2007 | <u>4</u> | JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2)(B) (ii). I certify pursuant to 28 U.S.C. 1915(a)that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 07/18/2007) (jeh) (Entered: 06/26/2007)  |
| 07/11/2007 | <u>5</u> | PRO SE MEMORANDUM dated 7/11/07 re: CHANGE OF ADDRESS for Alberto Nieves. New Address: 53224-054 (E-2), USP Canaan, PO Box 300, Waymart, PA, 18472. (tro) (Entered: 07/19/2007)   |
| 07/17/2007 | <u>6</u> | PRO SE MEMORANDUM dated 7/24/07 re: CHANGE OF ADDRESS for Alberto Nieves. New Address: 53224-054, USP-Canaan, Unit E-2, PO Box 300, Waymart, PA, 18492. (tro) (Entered: 07/26/2007)   |
| 07/26/2007 | <u>7</u> | NOTICE OF APPEAL from [4] Judgment - Sua Sponte (Complaint). Document filed by Alberto Nieves. (tp) (Entered: 08/01/2007)   |
| 07/26/2007 |          | Appeal Remark as to [7] Notice of Appeal filed by Alberto Nieves. \$455.00 APPEAL FEE DUE. IFP REVOKED 6/18/07. (tp) (Entered: 08/01/2007)  |
| 08/01/2007 |          | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [7] Notice of Appeal. (tp) (Entered: 08/01/2007)   |
| 08/01/2007 |          | Transmission of Notice of Appeal to the District Judge re: [7] Notice of Appeal. (tp) (Entered: 08/01/2007)   |